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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,859	09/25/2001	Yutaka Hasegawa	393032028500	1602
25224	7590	06/16/2005	EXAMINER	
MORRISON & FOERSTER, LLP 555 WEST FIFTH STREET SUITE 3500 LOS ANGELES, CA 90013-1024			BROOKS, MATTHEW L	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/963,859

Applicant(s)

HASEGAWA ET AL.

Examiner

Matthew L. Brooks

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/25/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "reception server" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

NOTE: For purposes of 102 and 103 Examiner considered a ticket issue server and reception server to be the same thing as Applicant's Figs 1-5 show, See Fig 1, 101.

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However, for purposes of this rejection to have separate servers would not effect the function and is really a matter of arbitrary design.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. **Claims 1-4 and 9-12** are rejected under 35 U.S.C. 102(e) as being anticipated by PC Magazine; May 23, 2000 (PC Mag) attached herein.

3. With respect to **Claim 1**: PC Mag discloses

A method of validating an entrance to an event site, comprising the steps of:
accessing to a ticket issue server through a network by a portable terminal device to request an issue of ticket data (See foot note (fn) 1; wherein the PC Mag's PDA is the same as a portable terminal device and because the ticket is purchase on the web there must be a server that issues tickets);

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accepting a request of the ticket data at the ticket issue server and transmitting the ticket data in place of a physical ticket to the portable terminal device in response to the request (See foot notes 1 and 2); and

receiving the ticket data by the portable terminal device to reproduce the ticket data in a visible or audible form at the event site for validating of the entrance to the event site (See foot notes 2 and 3 wherein this is inherently included in PC Mag because it shows ticket reproduction on the portable device and the user getting admitted to the event).

4. With respect to **Claim 2**: PC Mag discloses

wherein the ticket data is visibly reproduced in the form containing at least one of a predetermined graphic, predetermined character strings and a bar code on a display of the portable terminal device (See fn 2).

5. With respect to **Claim 3**: PC Mag discloses

wherein the ticket data contains script information effective to specify a display mode of the ticket data when the ticket data is visibly reproduced on the display of the portable terminal device (See fn 2).

6. With respect to **Claim 4**: PC Mag discloses

further comprising the step of reading the ticket data visibly reproduced on the display for confirming whether or not the ticket data is authentic (See fn 2).

7. With respect to **Claim 9**: PC Mag discloses

A system comprising a ticket issue server and a portable terminal device connected to the ticket issue server through a network for validating an entrance to an event site,

wherein the portable terminal device comprises an accessing section that is operated to access to the ticket issue server through the network to make a request for an issue of ticket data (See fn 1), a receiving section that receives the ticket data from the ticket issue server (See fn 2), and an output section that reproduces the ticket data by a visible or audible form at the event site in place of a physical ticket for validating of the entrance to the event site (See fn 2 and 3), and

wherein the ticket issue server comprises an accepting section that accepts the request from the portable terminal device for issuing the ticket data (See fn 1), and a transmitting section that transmits the ticket data through the network in place of a physical ticket to the portable terminal device in response to the request (See fn 1 and 2).

8. With respect to **Claim 10**: PC Mag discloses

wherein the portable terminal device comprises the output section that visibly reproduces the ticket data in the form containing at least one of a predetermined graphic, predetermined character strings and a bar code (See fn 2).

9. With respect to **Claim 11**: PC Mag discloses

wherein the ticket issue server issues the ticket data that contains script information effective to specify a display mode of the ticket data when the ticket data is visibly reproduced on a display of the portable terminal device (See fn 2).

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10. With respect to **Claim 12**: PC Mag discloses

a reading device that is provided at the event site and that reads the ticket data visibly reproduced on a display of the portable terminal device for confirming whether or not the ticket data is authentic (See fn 2 and 3).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

13. Claims 5-8 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over PC Mag in further view of Patent Number 6,175,922; Ynjiun P. Wang (Wang).

14. With respect to **Claims 5 and 13**: PC Mag discloses

accessing to a reception server through a network by a portable terminal device to request an issue of ticket data;

transmitting a mail and an address of a ticket issue server to the requesting portable terminal device from the reception server;

receiving the mail by the portable terminal device and addressing the ticket issue server according to the address contained in the received mail to thereby gain an access to the ticket issue server;

transmitting the ticket data in lieu of a physical ticket to the requesting portable terminal device from the ticket issue server; and

receiving the ticket data by the portable terminal device to reproduce the ticket data in a visible or audible form at the event site for validating of the entrance to the event site.

PC Mag, however, does not teach integrating password protection when transmitting ticket. Wang teaches integrating password protection when making a purchase from a portable terminal device (See Column 3, 20-35 and Column 12, 1-6). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to further modify the ticketing validation method and system of PC Mag so as to include "password protection" as per the teachings of Wang, for the advantage of security (See Column 1, 40-55).

15. With respect to Claims 6-8 and 14-16:

These dependent claims have the identical limitations as set forth in dependent claims 2-4 and 10-12 above and are there for rejected for the same reasons as stated above.

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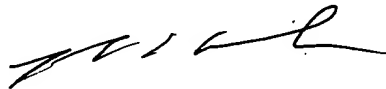
Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. 6,496,809 and 5,754,654.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew L. Brooks whose telephone number is (571) 272-8112. The examiner can normally be reached on Monday - Friday; 8 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-8112. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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6/2/2005